

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GLENN T. JONES, SR.; MARSHA)	
JONES, his wife,)	
Plaintiffs)	
)	
vs.)	Civil Action No. 09-819
)	Chief Magistrate Judge Amy Reynolds Hay
PENNY FORECLOSURES, LLC; PENNY)	
FORECLOSURES, II, LLC; DOME)	
PROPERTIES, LLC; CARLOS DE)	
OLIVEIRA and WENDY DE OLIVEIRA,)	
his wife,)	
Defendants)	

ORDER

AND NOW, this 5th day of February, 2010, it is hereby ORDERED that the Defendants' Motion to Dismiss [Doc. 19] the Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(7) for failure to join a necessary party is DENIED.

It is also ORDERED that the Defendants' Motion to Dismiss [Doc.19] the Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim is GRANTED as to Counts I and IV of the Amended Complaint, and DENIED as to Counts III and IV.

By the Court,
/s/ Amy Reynolds Hay
Chief United States Magistrate Judge

cc: Counsel of Record via CM-ECF